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FAX COVER SHEET

Date: September 22, 2006

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Fax Number: 571-273-8300

From: Jacqueline S. Bley
Patent Administrator & Paralegal

Fax Number: 650-624-4489 **Telephone Number:** 650-624-4585

Number of Pages (Including Cover): 6

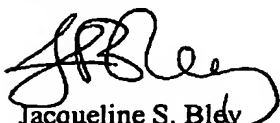
Re: **Serial Number:** 10/612,604
 Attorney Docket Number: 11068-014-999
 Art Unit 1648

Attached please find the following documents for filing:

1. Transmittal Form;
2. Fee Transmittal (2 copies); and
3. Notice of Appeal.

Thank you and please contact me if you have any questions.

Sincerely,



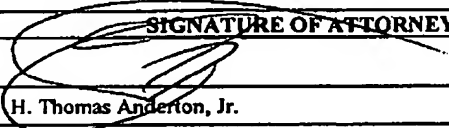
Jacqueline S. Bley
Patent Administrator & Paralegal

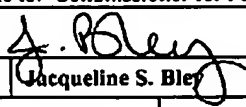
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SEP 22 2006

TRANSMITTAL FORM <i>(to be used for all correspondence during pendency of filed application)</i>		Application Number	10/612,604
		Filing Date	July 01, 2003
		First Named Inventor	Huang, Wei
		Group Art Unit Number	1648
		Examiner Name	Chen, Stacy Brown
Total Number of Pages in This Submission	5	Attorney Docket Number	011068-014-999

ENCLOSURES (check all that apply)	
<input checked="" type="checkbox"/> Fee Transmittal Form (in duplicate) <input type="checkbox"/> Check Enclosed <input type="checkbox"/> Return Receipt Postcard <input type="checkbox"/> Response to Notice to File Missing Parts <input type="checkbox"/> Assignment & Recordation Cover Sheet <input type="checkbox"/> Declaration <input type="checkbox"/> Power of Attorney <input type="checkbox"/> Application Data Sheet <input type="checkbox"/> Information Disclosure Statement & PTO/SB/08A <input type="checkbox"/> Copies of IDS Cited References <input type="checkbox"/> Request for Corrected Filing Receipt <input type="checkbox"/> Request for Correction of Recorded Assignment <input type="checkbox"/> Amendment/Response: [] Page(s) <input type="checkbox"/> After Final <input type="checkbox"/> Status Request <input type="checkbox"/> Revocation and Substitute Power of Attorney	<input type="checkbox"/> Issue Fee Transmittal <input type="checkbox"/> Letter to Chief Draftsperson <input type="checkbox"/> Formal Drawing(s): [] Sheet(s) of Figure(s) [] <input checked="" type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
REMARKS:	

SIGNATURE OF ATTORNEY OR AGENT			
Signature:			
Print Name:	H. Thomas Anderton, Jr.		
Attorney/Reg. No.:	40,895	Dated:	9/22/06

CERTIFICATE OF FACSIMILE TRANSMISSION	
I hereby certify that this correspondence, including the enclosures identified above, is being transmitted on the date shown below via facsimile to: Commissioner for Patents at the facsimile number indicated below.	
Signature:	
Typed or Printed Name:	Jacqueline S. Bley
Dated:	9/22/06
Facsimile Number:	571-273-8300

A1000/00103/DOCS/951157.1

<h2 style="margin: 0;">FEE TRANSMITTAL</h2> <h3 style="margin: 0;">for FY 2006</h3> <p style="margin: 0; font-size: small;">Patent fees are subject to annual revision.</p>		<div style="border: 1px solid black; padding: 2px; display: inline-block;"> RECEIVED GENERAL FAX CENTER SEP 22 2006 </div>	
		Complete If Known	
		Application Number	10/612,604
		Filing Date	July 01, 2003
		First Named Inventor	Huang, Wei
		Examiner Name	Chen, Stacy Brown
		Art Unit	1648
		Attorney Docket No.	11068-014-999
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27			
TOTAL AMOUNT OF PAYMENT (\$) 1,330			

METHOD OF PAYMENT (check all that apply)	FEE CALCULATION (continued)																																																																																																																																																																																														
<input type="checkbox"/> Check <input type="checkbox"/> Credit Card <input type="checkbox"/> Money Order <input type="checkbox"/> Other <input type="checkbox"/> None <input checked="" type="checkbox"/> Deposit Account: Deposit Account Number 502266 Deposit Account Name Aclara Biosciences Inc. The Commissioner is authorized to: (check all that apply) <input type="checkbox"/> Charge fee(s) indicated below <input checked="" type="checkbox"/> Credit any overpayments <input checked="" type="checkbox"/> Charge all required fee(s) or any underpayment of fee(s) due under 37 CFR §1.16 or §1.17 during the pendency of this application <input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.	<h3 style="margin: 0;">3. ADDITIONAL FEES</h3> <table border="1" style="width:100%; border-collapse: collapse; font-size: x-small;"> <thead> <tr> <th colspan="2">Large Entity</th> <th colspan="2">Small Entity</th> <th rowspan="2">Fee Description</th> <th rowspan="2">Fee Paid</th> </tr> <tr> <th>Fee Code</th> <th>Fee (\$)</th> <th>Fee Code</th> <th>Fee (\$)</th> </tr> </thead> <tbody> <tr><td>1051</td><td>130</td><td>2051</td><td>65</td><td>Surcharge - late filing fee or oath or declaration</td><td></td></tr> <tr><td>1052</td><td>50</td><td>2052</td><td>25</td><td>Surcharge - late provisional filing fee or cover sheet</td><td></td></tr> <tr><td>1053</td><td>130</td><td>1053</td><td>130</td><td>Non-English specification</td><td></td></tr> <tr><td>1812</td><td>2,520</td><td>1812</td><td>2,520</td><td>For filing a request for ex parte reexamination</td><td></td></tr> <tr><td>1804</td><td>920*</td><td>1804</td><td>920*</td><td>Requesting publication of SIR prior to Examiner action</td><td></td></tr> <tr><td>1805</td><td>1,840*</td><td>1805</td><td>1,840*</td><td>Requesting publication of SIR after Examiner action</td><td></td></tr> <tr><td>1251</td><td>120</td><td>2251</td><td>60</td><td>Extension for reply within first month</td><td></td></tr> <tr><td>1252</td><td>450</td><td>2252</td><td>225</td><td>Extension for reply within second month</td><td></td></tr> <tr><td>1253</td><td>1020</td><td>2253</td><td>510</td><td>Extension for reply within third month</td><td></td></tr> <tr><td>1254</td><td>1,590</td><td>2254</td><td>795</td><td>Extension for reply within fourth month</td><td></td></tr> <tr><td>1255</td><td>2,180</td><td>2255</td><td>1,080</td><td>Extension for reply within fifth month</td><td>1,080</td></tr> <tr><td>1401</td><td>500</td><td>2401</td><td>250</td><td>Notice of Appeal</td><td>250</td></tr> <tr><td>1402</td><td>500</td><td>2402</td><td>250</td><td>Filing a brief in support of an appeal</td><td></td></tr> <tr><td>1403</td><td>1000</td><td>2403</td><td>500</td><td>Request for oral hearing</td><td></td></tr> <tr><td>1451</td><td>1,510</td><td>1451</td><td>1,510</td><td>Petition to institute a public use proceeding</td><td></td></tr> <tr><td>1452</td><td>500</td><td>2452</td><td>250</td><td>Petition to revive - unavoidable</td><td></td></tr> <tr><td>1453</td><td>1,500</td><td>2453</td><td>750</td><td>Petition to revive - unintentional</td><td></td></tr> <tr><td>1501</td><td>1,400</td><td>2501</td><td>700</td><td>Utility issue fee (or reissue)</td><td></td></tr> <tr><td>1502</td><td>800</td><td>2502</td><td>400</td><td>Design issue fee</td><td></td></tr> <tr><td>1503</td><td>1100</td><td>2503</td><td>550</td><td>Plant issue fee</td><td></td></tr> <tr><td>1480</td><td></td><td>1480</td><td></td><td>Petitions to the Director</td><td></td></tr> <tr><td>1807</td><td>50</td><td>1807</td><td>50</td><td>Processing fee for Provisional Applications</td><td></td></tr> <tr><td>1806</td><td>180</td><td>1806</td><td>180</td><td>Submission of Information Disclosure Stmt</td><td></td></tr> <tr><td>8021</td><td>40</td><td>8021</td><td>40</td><td>Recording each patent assignment per property (times number of properties)</td><td></td></tr> <tr><td>1809</td><td>790</td><td>2809</td><td>395</td><td>Filing a submission after final rejection (37 CFR 1.128(a))</td><td></td></tr> <tr><td>1810</td><td>790</td><td>2810</td><td>395</td><td>For each additional invention to be examined (37 CFR 1.128(b))</td><td></td></tr> <tr><td>1801</td><td>790</td><td>2801</td><td>395</td><td>Request for Continued Examination (RCE)</td><td></td></tr> <tr><td>1802</td><td>900</td><td>1802</td><td>900</td><td>Request for expedited examination of a design application</td><td></td></tr> <tr><td colspan="6">Other fee (specify): _____</td></tr> <tr> <td colspan="4" style="text-align: right;"> SUBTOTAL (3) (\$) 1,330 </td> <td colspan="2"></td> </tr> </tbody> </table>	Large Entity		Small Entity		Fee Description	Fee Paid	Fee Code	Fee (\$)	Fee Code	Fee (\$)	1051	130	2051	65	Surcharge - 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SUBMITTED BY		Complete (if applicable)	
Name (Print/Type)	H. Thomas Anderson, Jr.	Registration No. (Attorney/Agent)	40,895
Signature		Telephone	650-624-4198
		Date	9/22/06

PATENT

IN THE UNITED STATES
PATENT AND TRADEMARK OFFICE

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SEP 22 2006

APPLICANT(S): Huang, Wei
APPLICATION NO.: 10/612,604
FILING DATE: July 01, 2003
TITLE: COMPOSITIONS AND METHODS FOR DETERMINING
THE REPLICATION CAPACITY OF A PATHOGENIC
VIRUS
EXAMINER: Chen, Stacy Brown
GROUP ART UNIT: 1648
ATTY. DKT. NO.: 011068-014-999

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this communication is being sent by facsimile transmission in accordance with §1.6(d) addressed to Mail Stop: Amendment, No. (571) 273-8300, The Commissioner for Patents, P.O. 1450, Alexandria, VA 22313-1450 on the date shown below.

Date: September 22, 2006By: J. Bley

Jacqueline S. Bley

COMMISSIONER FOR PATENTS
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450

NOTICE OF APPEAL

MADAM:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the Primary Examiner, mailed March 22, 2006, finally rejecting claims 1-19.

Pursuant to 37 C.F.R. §1.136 (a)(3), the Commissioner is authorized to charge all required fees, or credit any overpayment, to 502266.

US Patent Application 10/612,604

1

09/25/2006 TL0111 00000030 502266 10612604
01 FC:2255 1000.00 DA
02 FC:2401 250.00 DA

PATENT

Respectfully submitted,

Dated: September 22, 2006

By: 

H. Thomas Anderton, Jr., Reg. No.: 40,895
Monogram Biosciences, Inc.
345 Oyster Point Blvd.
South San Francisco, CA 94080
Tel.: (650) 624-4198
Fax.: (650) 635-1111